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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 DAVID MICHAEL BURAK, JR.,

12 Defendant.

2:22-CR-187-JCM-BNW

Final Order of Forfeiture

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14 The United States District Court for the District of Nevada entered a Preliminary
15 Order of Forfeiture under Fed. R. Crim. P. 32.2(b)(1) and (b)(2) and 18 U.S.C. § 2253(a)(1)
16 and 2253(a)(3) based upon the plea of guilty by David Michael Burak, Jr., to the criminal
17 offense, forfeiting the property set forth in the Plea Agreement and the Forfeiture Allegation
18 of the Criminal Indictment and shown by the United States to have the requisite nexus to
19 the offense to which David Michael Burak, Jr., pled guilty. Criminal Indictment, ECF No.
20 1; Change of Plea, ECF No. 32; Plea Agreement, ECF No. 33; Preliminary Order of
21 Forfeiture, ECF No. 34.

22 This Court finds that on the government's motion, the Court may at any time enter
23 an order of forfeiture or amend an existing order of forfeiture to include subsequently
24 located property or substitute property under Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

25 This Court finds the United States published the notice of forfeiture in accordance
26 with the law via the official government internet forfeiture site, www.forfeiture.gov,
27 consecutively from March 3, 2023, through April 1, 2023, notifying all potential third

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1 parties of their right to petition the Court. Notice of Filing Proof of Publication Exhibits,
2 ECF No. 35-1, p. 5.

3 This Court finds the United States notified known third parties by regular mail and
4 certified mail return receipt requested of their right to petition the Court. Notice of Filing
5 Notice of Filing Service of Process – Mailing, ECF No. 37.

6 On March 13, 2023, the United States Attorney's Office attempted to serve Jennifer
7 Burak on Karen Court with copies of the Preliminary Order of Forfeiture and the Notice
8 through regular mail and certified mail return receipt requested. The regular and certified
9 mail were both returned as not deliverable as addressed and unable to forward. Notice of
10 Filing Service of Process – Mailing, ECF No. 37-1, p. 3, 6-17.

11 On March 13, 2023, the United States Attorney's Office attempted to serve Jennifer
12 Burak on Shadwell Ct. with copies of the Preliminary Order of Forfeiture and the Notice
13 through regular mail and certified mail return receipt requested. The regular and certified
14 mail were both returned as attempted – not known and unable to forward. Notice of Filing
15 Service of Process – Mailing, ECF No. 37-1, p. 3, 6-13, 18-20.

16 On March 13, 2023, the United States Attorney's Office served and attempted to
17 serve Jennifer Burak on Impala Drive with copies of the Preliminary Order of Forfeiture
18 and the Notice through regular mail and certified mail return receipt requested. The status
19 of the certified mail is unknown as the post office has the mail listed as delivery attempted
20 since March 23, 2023. The regular mail was not returned. Notice of Filing Service of
21 Process – Mailing, ECF No. 37-1, p. 3, 6-13, 21-24.

22 On March 13, 2023, the United States Attorney's Office served and attempted to
23 serve Jennifer Burak on Athens Ave. with copies of the Preliminary Order of Forfeiture and
24 the Notice through regular mail and certified mail return receipt requested. The status of the
25 certified mail is unknown as the post office has the mail listed as delivery attempted since
26 March 23, 2023. The regular mail was not returned. Notice of Filing Service of Process –
27 Mailing, ECF No. 37-1, p. 3, 6-13, 25-28.

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1 On March 13, 2023, the United States Attorney's Office attempted to serve
2 Alexander Burak c/o Jennifer Burak on Shadwell Ct. with copies of the Preliminary Order
3 of Forfeiture and the Notice through regular mail and certified mail return receipt requested.
4 The regular and certified mail were both returned as attempted – not known and unable to
5 forward. Notice of Filing Service of Process – Mailing, ECF No. 37-1, p. 3, 6-13, 29-31.

6 On March 13, 2023, the United States Attorney's Office served and attempted to
7 serve Alexander Burak c/o Jennifer Burak on Athens Ave. with copies of the Preliminary
8 Order of Forfeiture and the Notice through regular mail and certified mail return receipt
9 requested. The status of the certified mail is unknown as the post office has the mail listed as
10 delivery attempted since March 19, 2023. The regular mail was not returned. Notice of
11 Filing Service of Process – Mailing, ECF No. 37-1, p. 4-13, 32-35.

12 On March 13, 2023, the United States Attorney's Office served and attempted to
13 serve Alexander Burak c/o Jennifer Burak on Impala Drive with copies of the Preliminary
14 Order of Forfeiture and the Notice through regular mail and certified mail return receipt
15 requested. The status of the certified mail is unknown as the post office has the mail listed as
16 delivery attempted since March 23, 2023. The regular mail was not returned. Notice of
17 Filing Service of Process – Mailing, ECF No. 37-1, p. 4-13, 36-39.

18 On March 13, 2023, the United States Attorney's Office served and attempted to
19 serve Alexander Burak c/o Jennifer Burak on Karen Court with copies of the Preliminary
20 Order of Forfeiture and the Notice through regular mail and certified mail return receipt
21 requested. The certified mail was returned as not deliverable as addressed. The regular mail
22 was not returned. Notice of Filing Service of Process – Mailing, ECF No. 37-1, p. 4-13, 40-
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24 This Court finds no petition was filed herein by or on behalf of any person or entity
25 and the time for filing such petitions and claims has expired.

26 This Court finds no petitions are pending regarding the property named herein and
27 the time has expired for presenting such petitions.

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1 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
 2 all possessory rights, ownership rights, and all rights, titles, and interests in the property
 3 hereinafter described are condemned, forfeited, and vested in the United States under Fed.
 4 R. Crim. P. 32.2(b)(4)(A) and (b)(4)(B); Fed. R. Crim. P. 32.2(c)(2); 18 U.S.C. § 2253(a)(1)
 5 and 2253(a)(3); and 21 U.S.C. § 853(n)(7) and shall be disposed of according to law:

- 6 1. a Western Digital 4TB SATA hard drive, Model No. WD40EZRZ, Serial No.
 7 WCC7K2VLT59Z;
- 8 2. a San Disk 64GB Micro SD card;
- 9 3. an ADATA SSD 512GB SATA hard drive, Model No. ASU800SS-512GT,
 10 Serial No. 215120023783;
- 11 4. a Toshiba 2TB external hard drive, Serial No. Y752TMKSTSVF;
- 12 5. a black generic computer tower, Serial No. 252718389707 with a XPG
 13 512GB M.2 SATA card (Serial No. 2K1520019450), a Western Digital 6TB
 14 SATA hard drive (Model No. WD60EZRZ, Serial No. WX21DA87CEPC),
 15 and a Seagate 8TB SATA hard drive (Model No. ST8000DM004, Serial No.
 16 ZR102A04);
- 17 6. a San Disk 16GB SD card;
- 18 7. a San Disk 32GB Micro SD card;
- 19 8. a San Disk 128GB Thumb Drive;
- 20 9. a Western Digital 500GB SATA hard drive, Model No. WD5000AZRX,
 21 Serial No. WMC1U3977227; and
- 22 10. an Acer Laptop Computer, Model No. Aspire 5252 Series, Serial No.
 23 LXR48020130423E7951601 with an ADATA SSD 250GB SATA hard drive
 24 (Model No. SU630, Serial No. 215120040462)


25 (all of which constitutes property).

26 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the forfeited
 27 property shall be disposed of according to law.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
2 copies of this Order to all counsel of record.

3 DATED July 19, 2023, 2023.
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6 JAMES C. MAHAN
7 UNITED STATES DISTRICT JUDGE
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